

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:20-cv-00220-MR**

**RANDY W. BARKLEY, Individually
and as the Executor of the Estate of
Rita W. Barkley, Deceased,**

Plaintiff,

vs.

**4520 CORP., INC., Individually and
as Successor-in-Interest to
Benjamin F. Shaw Company, et al.,**

Defendants.

ORDER

THIS MATTER is before the Court on the Motion for Summary Judgment [Doc. 286] and Motion to Exclude the Testimony of Edwin Holstein [Doc. 288] filed by the Defendant Flowserve Corporation f/k/a The Duriron Company. Also before the Court is the parties' Joint Motion to Dismiss without Prejudice as to Defendant Flowserve Corporation f/k/a The Duriron Company Inc. [Doc. 342].

Upon review of the parties' motions,

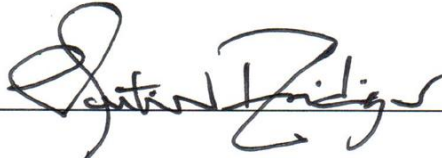
IT IS, THEREFORE, ORDERED that the parties' Joint Motion to Dismiss [Doc. 342] is **GRANTED**, and all the Plaintiff's claims against the

Defendant Flowserve Corporation f/k/a The Duriron Company Inc. are hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the Motion for Summary Judgment [Doc. 286] and Motion to Exclude the Testimony of Edwin Holstein [Doc. 288] filed by the Defendant Flowserve Corporation f/k/a The Duriron Company are **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: October 25, 2021



Martin Reidinger
Chief United States District Judge

